

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA**

LAMAR CENTRAL OUTDOOR, L.L.C.  
a Delaware Limited Liability Company,

Plaintiff,

v.

PAUL S. COVEY, an individual, KEM  
TEXAS, LTC., a Texas Limited Liability  
Company, and ITHACA INVESTMENTS,  
LTD., a Texas Limited Liability Company,

Defendants.

Case No. CIV-07-101-SPS

**DISCLOSURES OF PLAINTIFF  
LAMAR CENTRAL OUTDOOR, L.L.C.**

Plaintiff, Lamar Central Outdoor, L.L.C. makes the following disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1) and local Civil Rule 26.1.

**I.  
RULE 26(a)(1)(A): INDIVIDUALS LIKELY TO HAVE  
DISCOVERABLE INFORMATION**

1. Paul Covey  
c/o Wright, Stout, Fite & Wilburn  
P.O. Box 707  
Muskogee, OK 744092-0707

- Defendant Paul Covey will likely testify in connection with the facts and circumstances surrounding the purchase and sale of the subject real property and his knowledge of the allegations and defenses at issue in the case at bar.

2. Thomas Thrash  
c/o Moricoli, Matula, Schovanec & Hickman  
Two Leadership Square, Suite 1200 South  
211 North Robinson  
Oklahoma City, OK 73102

- Thomas Thrash will likely testify concerning the facts and circumstances surrounding Lamar's property rights, the facts and circumstances surrounding the purchase and sale of the subject real property and his knowledge of the allegations and defenses at issue in the case at bar.
3. Bernie Edinger  
c/o Moricoli, Matula, Schovanec & Hickman  
Two Leadership Square, Suite 1200 South  
211 North Robinson  
Oklahoma City, OK 73102
- Bernie Edinger will likely testify concerning the facts and circumstances surrounding Lamar's property rights, the facts and circumstances surrounding the purchase and sale of the subject real property and his knowledge of the allegations and defenses at issue in the case at bar.
4. Linda Weber  
Marietta, Oklahoma
- Linda Weber will likely testify concerning her involvement with the purchase and sale of the subject property, her knowledge of the existence of Lamar's rights or claim of rights in the subject property, and the facts and circumstances surrounding the subject matter of the instant lawsuit.
5. William Carlyle  
Marietta, Oklahoma
- William Carlyle will likely testify concerning his dealings with the Plaintiff and its representatives and the Defendants and their representatives concerning the subject property.
6. Ursula Carlyle  
Marietta, Oklahoma
- Ursula Carlyle will likely testify concerning her dealings with the Plaintiff and its representatives and the Defendants and their representatives concerning the subject property.

7. Monti Smith  
Oklahoma City, OK

- Monti Smith will likely testify concerning the records of Oklahoma Department of Transportation as they pertain to the case at bar.

Discovery is ongoing and Plaintiff may identify additional individuals that have knowledge that is relevant to the issues in the case at bar.

## II.

### RULE 26(a)(1)(B): DOCUMENTS, DATA COMPILATIONS AND TANGIBLE THINGS

1. Lamar has identified the following categories of documents to be in their possession, custody or control, which relate to the issues in the present case:
  - a. Lease Agreement between Lamar and Carlyle.
  - b. Correspondence between Lamar and Carlyle.
  - c. The records of the respective parties which concern the purchase, sale and use of the subject property.
  - d. The records of the Oklahoma Department of Transportation, which concern outdoor advertising on the subject property.
2. Discovery is ongoing and Plaintiff may identify additional documents that are relevant to the issues in the case at bar.

## III.

### RULE 26(a)(1)(C): DAMAGES

Damages claimed by Lamar in this lawsuit relate to the fair market value of the sign location on the property formerly owned by Carlyle that was leased by Lamar. Lamar is unable to fully quantify the value of the sign location at this stage of the litigation as discovery is on-going and no expert has been retained.

**IV.**

**RULE 26(a)(1)(D): INSURANCE AGREEMENTS**

Not Applicable

**V.**

**LCvR 26.1: EXPERTS**

Lamar has not determined if an expert will be necessary in the instant case. As such, Lamar has not retained an expert at the present time. If an expert is necessary, Lamar believes such an expert would testify concerning the fair market value of the sign location that is the subject of the instant case.

MORICOLI, MATULA, SCHOVANEC & HICKMAN  
A Professional Corporation

s/William H. Hickman

William H. Hickman, OBA No. 18395  
Jeremy R. Fitzpatrick, OBA No. 20204  
MORICOLI, MATULA, SCHOVANEC  
& HICKMAN  
Two Leadership Square  
211 North Robinson, Suite 1200 South  
Oklahoma City, OK 73102  
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Attorneys for Plaintiff:  
Lamar Outdoor Central, L.L.C.

**CERTIFICATE OF MAILING**

This is to certify that on this 15th day of June, 2007, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing. Based on the records currently on file, the following persons will receive a Notice of Electronic Filing directly from the Clerk of the Court:

Ron Wright  
ron@wsfw-ok.com

Daniel G. Gurwitz  
dgurwitz@atlashell.com

s/William H. Hickman

WHH\1405\pleadings\Rule 26 Disclosures